

NO. 27844

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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FRANK O. LOHER, Petitioner/Petitioner-Appellant,

vs.

STATE OF HAWAI'I, Respondent/Respondent-Appellee.

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CERTIORARI TO THE INTERMEDIATE COURT OF APPEALS  
(S.P.P. NO. 05-1-0067)

ORDER DISMISSING APPLICATION FOR WRIT OF CERTIORARI  
(By: Nakayama, J., for the court<sup>1</sup>)

Petitioner/Petitioner-Appellant's application for writ of certiorari filed on July 7, 2009, is hereby untimely and dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, August 5, 2009.

FOR THE COURT:

*Fumua A. Nakayama*  
Associate Justice

Frank O. Loher,  
petitioner pro se,  
on the application



*Jeanne K. Ikinaka*  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2009 AUG -5 PM 12:30

FILED

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<sup>1</sup>Considered by: Moon, C.J., Nakayama, Acoba, and Duffy, JJ., and Circuit Judge McKenna, in place of Recktenwald, J., recused.